3:Stern E-4,5 (1949-1957) 1965 NR10 Klamath NR10

[Klamath Reservation]

ing exclusively or even principally upon kinsmen. A responsible man sometimes was appointed guardian of an estate, as was William Crawford in the case of the minor, Frederick Schonchin.[104] Indians sometimes volunteered to assume a somewhat analogous relationship even for nonkin. Thus William Ball, a prosperous interbreed, proposed to feed, clothe, and bury an aged and destitute couple from the Warm Springs reservation, "providing he can get their allotments to use while they live, and become the actual owner of their lands after death."[105] As interpersonal relations became increasingly concerned with the manipulation of property, litigation in the tribal court gained volume and acerbity.[106]

The Board of Indian Commissioners had foreseen that undivided tribal funds might perpetuate the "Indian problem" that allotment had been designed to solve, and they advocated breaking them up.[107] Among the Klamath were a number of persons, stemming principally from the more acculturated members, who shared the same sentiments toward unallotted lands. Paralleling the stress upon individual pecuniary interests, they developed what may be termed claims against the tribal equity. In one instance, Celia DuFault, sister-in-law of William Crawford, and a nonresident member, claimed part of the Klamath school farm as her allotment;[108] in another, the returned Modoc, Charles S. Hood, made inquiries concerning the Yainax school farm with an eye, it was alleged, to a similar allotment for himself and his children.[109]

These efforts must be viewed in the context of corresponding measures on the part of whites. The conflicting claims and suits had delayed the completion of allotment, and hence the sale of surplus lands, into a time when it became obvious that the tribal timber possessed great value. The government then decided that the surplus lands would be retained and the timber exploited for the tribal benefit. There were various plans, however, to contest the retention on an undivided tribal equity. In 1909, the eight-man tribal council requested that a bill be prepared "giving the Klamath Allottees an additional 160 acres of timber land on this reservation; and that this be done at once in order that the surplus lands may then be disposed of otherwise."[110]

Meanwhile, O. C. Applegate had remarked favorably upon a